

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

RICKY N. KNIGHT,)
)
Plaintiff,)
)
v.) No. 2:04 CV 99 ERW
)
 DDN
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
)
Defendant.)

REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Upon reviewing the motion of the defendant to reverse and remand and for entry of final judgment (Doc. 15), and there being no objection by the plaintiff (Doc. 16),

IT IS HEREBY RECOMMENDED that the final decision of the defendant Commissioner of Social Security be reversed under Sentence 4 of 42 U.S.C. § 405(g) and the action be remanded to the Commissioner to make specific findings regarding plaintiff's intellectual functioning and limitations due to obesity, as well as to obtain vocational expert testimony.

The parties are advised they have ten days in which to file written objections to this Report and Recommendation. The failure to file timely, written objections shall waive the right to appeal issues of fact.



DAVID D. NOCE
UNITED STATES MAGISTRATE JUDGE

Signed on June 9, 2005.